

or disciplinary action that may be appropriate in cases involving continued financial irresponsibility, fraud, deceit, criminal conduct, or failure to support dependents, including arrearages.

(2) Provide guidance concerning federal, state, and local laws (e.g., bankruptcy, garnishment, wage earner plans, the Truth in Lending Act (Pub. L. 90-321), Fair Debt Collection Practices Act (Pub. L. 95-109), The Soldiers' and Sailors' Civil Relief Act of 1940, as amended, etc.).

(3) Coordinate on all responses to high-level, executive, and congressional inquiries.

(i) Family support centers serve as a source of information, counseling, and referral for family members in need of support and financial management assistance.

#### § 818.4 Review of complaints.

Complaints received regarding personal indebtedness or nonsupport of dependents should first be forwarded to the consolidated base personnel office (CBPO) Special Actions Unit to ensure that they pertain to an Air Force member. Also, indebtedness complaints should be reviewed by the staff judge advocate's office to ensure that they meet the general policies and requirements for acceptance (see §§ 818.7 and 818.8).

(a) The CBPO Special Actions Unit forwards processable cases to the unit commander for action, or:

(1) If the member has been reassigned, forwards the case to the current CBPO Special Actions Unit and advises the complainant of referral.

(2) If member has separated with no further military status or has retired, advises the complainant accordingly and indicates they are unable to assist because the individual is no longer under Air Force jurisdiction.

(3) If the member has been released from active duty, forwards the case to Headquarters Air Reserve Personnel Center, Special Actions Branch (HQ ARPC/DPAS), Denver CO 80280-5000, and advises the complainant of the referral.

(b) Indebtedness complaints that do not meet processing requirements are returned to the complainant with an

explanation of the reason or reasons for return.

(c) For dependent nonsupport or inadequate support cases forwarded by HQ AFMPC/DPASC, the commander must furnish the following information in the reply to that office (if negative, so state):

(1) Requirement of court order or decree, if applicable, and degree of compliance by the member.

(2) Date, amount, and method of prior support payments.

(3) Proposed date, amount, and method (for instance, money order, personal check, allotment, and, if by allotment, the effective date of first payroll deduction, and so forth) of future support payments (primary and arrearages, if any).

(4) If drawing basic allowance for quarters (BAQ), the amount received, type (for instance, with dependents or without dependents), and basis for receipt (wife, child or children in custody of ex-wife, and so forth).

(5) Action taken or projected to be taken to comply with § 818.14, where appropriate, regarding the BAQ.

#### § 818.5 Processing of complaints.

Any complaint that meets the requirements of this part will be processed. Processed means that the commander shall, within 15 calendar days of receipt of a complaint:

(a) Review all available facts surrounding the transaction or forming the basis for the complaint, including the member's legal rights and counterclaims. Assess the actions of the member as they apply to Air Force policy in these situations by reviewing the requirements of the credit agreement, court order, separation agreement, or other documents and actions taken by the member to resolve the matter, and the financial status of the member.

(b) Advise the member of Air Force policy appropriate to the complaint—that personal debts are expected to be paid in a proper and timely manner or that Air Force members are expected to provide regular and adequate support for their dependents. Also, explain what the member should do to comply with that policy.

## § 818.6

(1) Legal counseling services are available regarding indebtedness and dependent support agreements.

(2) Financial counseling and assistance services are available through the Personal Financial Management Program (PFMP) or the Budget Restructuring Program (BRP).

(i) PFMP is designed to assist personnel in analyzing personal financial problem areas, developing budgets, formulating debt-liquidation plans, obtaining consumer protection, improving checkbook maintenance, and buying on credit. (See AFR 170-32, Personal Financial Management Program (PFMP))

(ii) BRP is a coordinated approach between the PFMP manager, Headquarters Air Force Aid Society (AFAS) and the installation commander, whereby members who are undergoing financial difficulties may obtain a loan. BRP loans are made to deserving members in selected cases where long-term debt problems are such that budget restructuring is essential if the member is to function effectively in the Air Force environment.

(iii) Counseling services may also be available from the onbase military banking facility or credit union.

(c) Advise the complainant of Air Force policy that applies to the situation. Responses to dependent support complaints will include, when appropriate, a copy of the factsheet describing the legal process procedures that may be taken against the Air Force (§818.20 and 818.21). Form letters are not permitted.

(1) The Air Force does not arbitrate disputed cases, admit or deny validity of the complaint, or confirm the liability of its members.

(2) Under no circumstances will the response indicate whether or not administrative or disciplinary action has been taken against the member as a result of the complaint.

(3) Replies should be courteous and responsive to the complaint. The commander is not an intermediary and that impression should not be given in the reply.

(4) Commanders must actively monitor complaints until they are resolved. The Air Force cannot tolerate financial irresponsibility, neglect, dishonesty, or

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evasiveness. Failure to liquidate personal financial obligations promptly and honorably or to provide regular and adequate financial support to dependents could necessitate administrative or disciplinary action. If the commander decides the complaint reflects adversely on the member, the administrative or disciplinary action should be made a part of the unfavorable information file (UIF) according to AFR 35-32 (Unfavorable Information Files, Control Rosters, Administrative Reprimands and Admonitions) or the unit assigned personnel information file (UAPIF) according to AFR 35-44 (Military Personnel Records Systems).

### §818.6 High-level inquiries (AFR 11-7, Air Force Relations with Congress).

Replies to high-level, executive, and congressional inquiries should be coordinated through the installation commander, the staff judge advocate, director of personnel, and inspector general. As a minimum, replies should state Air Force policy (§818.1), and a summary of the position taken by the member, if applicable. For inquiries requiring response to HQ AFMPC Congressional Inquiries Section (DPMRPH2), include that information required by §818.4(c), as appropriate, in addition to:

(a) Whether or not the member agrees to release of information protected by the Privacy Act of 1974. (See part 806b of this chapter)

(b) Name of unit commander, address, and base telephone number.

## Subpart B—Personal Indebtedness

### §818.7 General policies.

(a) Members are expected to pay their financial obligations in a proper and timely manner. Claims of indebtedness, including returned checks, if properly supported, are processed as prescribed in §818.5.

(b) Inform claimants, desiring to contact a military member about indebtedness, that they may obtain the member's military address by writing to the HQ AFMPC Research, Locator Fees Section (HQ AFMPC/DPMD003), Northeast Office Place, 9504 IH 35 North, San Antonio TX 78233-6636. Usually, a research fee of \$3.50 is charged for this